

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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CHIESI USA, INC.,  
CORNERTSTONE BIOPHARMA, INC., and  
EKR THERAPEUTICS, LLC,

Plaintiffs

v.

C.A. No. 1:13-cv-01275-GMS

EXELA PHARMA SCIENCES, LLC,  
EXELA PHARMSCI, INC., and  
EXELA HOLDINGS, INC.,

Defendants.

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**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

WHEREAS the parties Chiesi USA, Inc. (f/k/a Cornerstone Therapeutics Inc.), Cornerstone BioPharma, Inc., and EKR Therapeutics, LLC (f/k/a EKR Therapeutics, Inc.) (collectively “Chiesi”) and Exela Pharma Sciences, LLC, Exela PharmSci, Inc., and Exela Holdings, Inc. (collectively “Exela”) have agreed to and entered into a binding term sheet (the “Term Sheet”) that sets forth the material terms and conditions of a settlement agreement and license agreement (the “Definitive Agreements”);

Pursuant to Fed. R. Civ. P. 41, and the Term Sheet and the Definitive Agreements, the parties by and through their undersigned counsel, hereby stipulate, subject to the approval of the Court, that:

1. All claims and defenses asserted by Chiesi and Exela are dismissed with prejudice; and
2. Each party shall bear its own costs and attorneys’ fees with respect to the matters dismissed hereby.

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Holdings, Inc.*

SO ORDERED this 14<sup>th</sup> day of December, 2015.



THE HONORABLE GREGORY M. SLEET  
UNITED STATES DISTRICT JUDGE